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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

PILL MCGINNIS,

Case No. Cv 08-1238-ST

Plaintiff,

v.

COMPLAINT FOR VIOLATIONS OF
FAIR DEBT COLLECTION
PRACTICES ACT

NORTHLAND GROUP, INC.

JURY REQUESTED

Defendant.

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1692k(d).
2. This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA").
3. Venue is proper in this District because the acts and transactions occurred here, Plaintiff resides here, and Defendant transacts business here.

PARTIES

4. Plaintiff Pill McGinnis (hereinafter “Plaintiff”) is a natural person who resides in the City of Milwaukee, State of Oregon, and is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

5. Defendant Northland Group, Inc. (hereinafter “Defendant”) operating from an address of 7831 Glenroy Road #250 Edina, Minnesota 55439 is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

6. Plaintiff is 64 years old, lives on a fixed income from Social Security Disability benefits and has no non-except assets.

7. Plaintiff borrowed money from Washington Mutual Bank and Capital One Bank for Plaintiff’s personal, family or household use.

8. Plaintiff defaulted on her payments to Washington Mutual Bank and Capital One Bank.

9. Washington Mutual Bank and Capital One Bank sold, assigned, or otherwise transferred the debt to Defendant.

10. In 2007 Plaintiff began receiving phone calls and collection notices from Defendant.

11. On or about July 11, 2007 Plaintiff’s pro bono Attorney, Heather Vogl, wrote to Defendant informing Defendant of Plaintiff’s financial situation. Plaintiff’s attorney also requested Defendant forward all further contact to her.

12. Defendant continued to contact Plaintiff regarding the accounts.

13. Plaintiff has repeatedly told Defendant that she is represented by an attorney and to stop contacting her.

14. Despite Plaintiff and Plaintiff's attorney's efforts Defendant continues to try to collect from Plaintiff.

TRIAL BY JURY

15. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

16. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

17. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the FDCPA including, but not limited to, 15 U.S.C. § 1692 b(6), 1692c(a)(2), 1692d, 1692d(5), and 1692f.

18. As a result of Defendant's violations of the FDCPA, Plaintiff is entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for:

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against each and every Defendant;

for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) against each and every Defendant;

for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against each and every Defendant;

DATED: October 14, 2008

/s/ Keith D. Karnes

Keith D. Karnes OSB # 03352

503-362-9393

Attorney for Defendant Pill McGinnis